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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,294	01/23/2002	Sumit Roy	100111585-1	9783

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

PHAM, BRENDA H

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/056,294

Applicant(s)

ROY ET AL.

Examiner

Brenda Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/23/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

BRENDA PHAM  
PRIMARY EXAMINER

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02/01/06.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-66 are pending in this application.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 11, 21, 31, 41, 51 and 61 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

3. Claim 61 is objected to because of the following informalities: terminology "configured to" should be deleted from the claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-66 are rejected under 35 USC 102(a) as being anticipated by BACH et al (WO 95/15665).

Regarding claims 1, 11, 21, 31, 41, 51, 61, BACH et al discloses in a server, a method of data session handoff, said method comprising:

receiving data from a data source;

transcoding said data;

transmitting at least a portion of said data to an electronic device located in a first location;

receiving notification that said electronic device is moving toward a second location served by a second server;

transmitting a first message to said second server notifying said second server that said electronic device is moving toward said second location;

receiving a second message from said second server that said second server is prepared to communicate with said electronic device; and

said server stopping transmission of said data (see figures 1-4).

Regarding claims 2, 12, 22, 32, 42, 52 and 62, wherein said server and said second server are transcoder devices (106 and 108).

Regarding claims 3-4, 13-14, 23-24, 33-34, 43-44, 53-54, 63-64, wherein said data source is a content server (112, 122).

Regarding claims 5, 15, 25, 35, 45, 55, 65, wherein said data is streaming media data.

Regarding claims 6, 16, 26, 36, 46, 56 and 66, wherein said electronic device is communicatively coupled to said server by a wireless connection (mobile terminal, not shown) is wirelessly communicatively coupled to said server (106, 108).

Regarding claims 7-8, 17-18, 27-28, 37-38, 47-48, 57-58, BACH et al further teach prior to said receiving said second message; said second server transmitting a third message to said data source notifying said data source to transmit at least a portion of said data to said second server; and said data source transmitting at least a portion of said data to said second server (step 9 and 10).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9, 19, 29, 39, 49, 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over BACH et al (WO 95/15665) in view of SUNDQVIST et al (US 2004/0071132 A1).

Regarding claims 9-10, 19-20, 29-30, 39-40, 49-50, 59-60, as explained in the rejection statements of claims 1, 11, 21, 31, 41, 51 (parent claims), BACH et al disclose all the features in parent claims. BACH et al does not teach wherein said data is user datagram protocol data/transmission control protocol messages. It is well known in the art and is taught by SUNDQVIST et al that User Datagram Protocol (UDP) and Internet Protocol specified by IETF are used to convey speech packets, including blocks of compressed speech information, between the fixed terminal TE1 and the and the base station BS1. At the base station BS1, the UDP and IP protocols are terminated by the

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blocks of compressed speech information are transported between the base station BS1 and the mobile station MS1 over a circuit switched radio channel CH1 assigned for serving the phone call. The radio channel CH1 being circuit switched implies that the radio channel CH1 is dedicated to transport blocks of speech information associated with the call at a fixed bandwidth [0022].

It is obvious to those having ordinary skill in the art at the time of the invention was made to use UDP and TCP in BACH et al.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

LEV et al (US 5,608,779) discloses method for communications between mobile units using single and multiple switching center configurations.

FRIMAN (US 6,061,566) discloses mobile communication system and call control method.

SCHMIDT et al (US 5,682,416) discloses method and apparatus communication handover in a communication system.

BONTA (US 6,108,549) discloses method and apparatus for passing network device operations between network devices.

**Conclusion**

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

July 06, 2006  
Brenda Pham



**BRENDA PHAM**  
**PRIMARY EXAMINER**